



Legislative Bulletin.....February 27, 2007

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Summary of the Bills Under Consideration Today:

Total Number of New Government Programs: 0

Total Cost of Discretionary Authorizations: unknown

Effect on Revenue: \$0

Total Change in Mandatory Spending: \$0

Total New State & Local Government Mandates: 0

Total New Private Sector Mandates: 0

Number of Bills Without Committee Reports: 8

Number of Reported Bills that Don't Cite Specific Clauses of Constitutional Authority: 0

H.Con.Res. 47 — Supporting the goals and ideals of a National Medal of Honor Day to celebrate and honor the recipients of the Medal of Honor
(Skelton, D-MO)

Order of Business: The resolution is scheduled for consideration on Tuesday, February 27, 2007, under a motion to suspend the rules and pass the resolution.

Summary: H.Con.Res. 47 would resolve that Congress:

- 1) recognizes the heroism and sacrifice of Medal of Honor recipients for the United States;
- 2) recognizes the educational opportunity that a National Medal of Honor Day would present to the American public; and
- 3) supports the goals and ideals of a National Medal of Honor Day to celebrate and honor the contributions of Medal of Honor recipients.

The resolution also states a number of findings, including the following:

- “the Medal of Honor is the highest award that can be bestowed to a member of the Armed Forces for valor in action against an enemy force;
- “the Medal of Honor is awarded by the President, in the name of the Congress, to members of the Armed Forces who have distinguished themselves conspicuously by gallantry and intrepidity at the risk of their lives above and beyond the call of duty;
- “the United States will forever be in debt to the recipients of the Medal of Honor for their bravery and sacrifice in times of war or other armed conflict;
- “the Medal of Honor was first awarded on March 25, 1863, during the Civil War;
- “of the millions of men and women who have served in the Armed Forces in war, military operations, or other armed conflicts, only 3,443 members have thus far been awarded the Medal of Honor;
- “111 Medal of Honor recipients are still living as of January 1, 2007;
- “March 25 would be an appropriate date to observe National Medal of Honor Day.”

Committee Action: H.Con.Res. 47 was introduced on January 30, 2007, and referred to the Committee on Armed Services, which took no official action.

Cost to Taxpayers: The resolution authorizes no expenditure.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

RSC Staff Contact: Derek V. Baker; derek.baker@mail.house.gov; 202-226-8585

**H.R. 755 — Promoting Transparency in Financial Reporting Act of 2007
(Davis, R-KY)**

Order of Business: The bill is scheduled for consideration on Tuesday, February 27, 2007, under a motion to suspend the rules and pass the bill.

Summary: H.R. 755 would require the Securities and Exchange Commission (SEC) the Financial Accounting Standards Board (FASB), and the Public Company Accounting Oversight Board (PCAOB) to provide oral testimony by their respective Chairpersons (or their designee) annually, beginning in 2007 every five years thereafter, to the House Financial Services Committee on their efforts to reduce the complexity in financial reporting to provide more accurate and clear financial information to investors. Their oral report would include:

- 1) “reassessing complex and outdated accounting standards;
- 2) “improving the understandability, consistency, and overall usability of the existing accounting and auditing literature;
- 3) “developing principles-based accounting standards;
- 4) “encouraging the use and acceptance of interactive data; and
- 5) “promoting disclosures in ‘plain English’.”

The bill also states these findings:

- Transparent and clear financial reporting is integral to the continued growth and strength of our capital markets and the confidence of investors.
- The increasing detail and volume of accounting, auditing, and reporting guidance pose a major challenge.
- The complexity of accounting and auditing standards in the United States has added to the costs and effort involved in financial reporting.

Committee Action: H.R. 755 was introduced on January 31, 2007, and referred to the Committee on Financial Services, which took no official action.

Cost to Taxpayers: A CBO score of H.R. 755 is unavailable, but the bill does not authorize new expenditures.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Constitutional Authority: A committee report citing constitutional authority is unavailable.

House Rule XIII, Section 3(d)(1), requires that all committee reports contain “a statement citing the *specific* powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.” *[emphasis added]*

RSC Staff Contact: Derek V. Baker; derek.baker@mail.house.gov; 202-226-8585

H.R. 1066 — To increase community development investments by depository institutions (*Frank, D-MA*)

Order of Business: The bill is scheduled for consideration on Tuesday, February 27, 2007, under a motion to suspend the rules and pass the bill.

An almost identical bill, H.R. 6062, passed the House during the 109th Congress by a voice vote on September 27, 2006.

Summary: H.R. 1066 would allow a federal savings association to make (direct or indirect) investments to “promote the public welfare” – including the welfare of low- and moderate-income communities or families – through the provision of housing, services, and jobs (community development investments). The bill would permit such investments to be made directly or by purchase of interests in an entity primarily engaged in making such investments, and prohibits a federal savings association from making an investment which would subject it to unlimited liability to any person.

The bill would also require the Office of Thrift Supervision to establish: 1) the amount any savings association may invest in any one project; and 2) the aggregate amount of investment of any savings association. Finally, the bill prohibits the maximum aggregate amount of investments of any savings association from exceeding the same 15% of its capital stock actually paid in and unimpaired and 15% of its unimpaired surplus as imposed by this Act on national banking associations and state member banks.

Additional Background: The provisions of H.R. 1066 were also largely encompassed in the Financial Services Regulatory Relief Act (H.R. 3505) in the 109th Congress, sponsored by Rep. Jeb Hensarling, that passed the House on March 8, 2006, by a vote of 415 to 2.

Committee Action: H.R. 1066 was introduced on February 15, 2007, and referred to the Committee on Financial Services, which took no official action.

Cost to Taxpayers: A CBO score of H.R. 1066 is unavailable, but the bill does not authorize new expenditures.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Constitutional Authority: A committee report citing constitutional authority is unavailable.

House Rule XIII, Section 3(d)(1), requires that all committee reports contain “a statement citing the *specific* powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.” *[emphasis added]*

RSC Staff Contact: Derek V. Baker; derek.baker@mail.house.gov; 202-226-8585

H.R. 644 — Brownfields Redevelopment Enhancement Act (Miller, R-CA)

Order of Business: The bill is scheduled for consideration on Tuesday, February 27, 2007, under a motion to suspend the rules and pass the bill.

An identical bill, H.R. 280, passed the House during the 109th Congress by a voice vote on December 13, 2005.

Summary: H.R. 644 includes several findings regarding the redevelopment of brownfields, including: returning the Nation's brownfield sites to productive economic use could generate more than 550,000 additional jobs and up to \$2,400,000,000 in new tax revenues for cities and towns; [a] lack of funding for redevelopment is a primary obstacle impeding the reuse of brownfield sites; redevelopment of brownfield sites and reuse of infrastructure at such sites will protect natural resources and open spaces; and grants under the Brownfields Economic Development Initiative of the Department of Housing and Urban Development provide local governments with a flexible source of funding to pursue brownfields redevelopment through land acquisition, site preparation, economic development, and other activities.

H.R. 2941 authorizes HUD to make Brownfields Economic Development Initiative (BEDI) grants to eligible public entities (defined in current law as any unit of general local government, including units of general local government in non-entitlement areas) and Indian tribes for the environmental cleanup and development of brownfields. Grants would be made only for (1) acquisition of real property or the rehabilitation of real property; (2) housing rehabilitation; (3) economic development activities; (4) construction of housing by nonprofit organizations for homeownership; (5) the acquisition, construction, reconstruction, or installation of public facilities; or (6) public works and site or other improvements.

The bill also eliminates the requirement that local governments obtain section 108 loan guarantees as a condition to receiving BEDI funding. Grants are authorized at such sums for

fiscal years 2006 to 2010. H.R. 280 allows Community Development Block Grant funds to be used for renewal communities and includes mine-scarred lands as eligible brownfields sites.

Additional Background: The Environmental Protection Agency defines brownfields as abandoned, idled or under-used industrial and commercial facilities where expansion or redevelopment is complicated by real or perceived environmental problems. There are an estimated 500,000 such sites across the country.

Committee Action: H.R. 644 was introduced on January 23, 2007, and referred to the Committee on Financial Services, which took no official action.

Cost to Taxpayers: A CBO score of H.R. 644 is unavailable. **However, CBO estimated that an identical bill (H.R. 280) in the 109th Congress would cost \$99 million over five years**

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Constitutional Authority: A committee report citing constitutional authority is unavailable.

House Rule XIII, Section 3(d)(1), requires that all committee reports contain “a statement citing the *specific* powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.” *[emphasis added]*

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H.R. 884 — Promoting Anti-terrorism Cooperation through Technology and Science (PACTS) Act (King, R-NY)

Order of Business: The bill is scheduled for consideration on Tuesday, February 27, 2007, under a motion to suspend the rules and pass the bill.

Summary: H.R. 884 would direct the Department of Homeland Security (DHS) Under Secretary for Science and Technology to establish a **new** Science and Technology Homeland Security International Cooperative Programs Office. It would create a **new position** of Director to head the office, and require that director to:

- 1) develop understandings or agreements that allow and support international cooperative activity in support of homeland security research, development, and comparative testing;
- 2) develop strategic priorities for such activity; and
- 3) facilitate the planning, development, and implementation of international cooperative activity to address such priorities.

The bill would require the Director to: 1) facilitate the matching of U.S. entities with non-U.S. entities that may partner in homeland security research activities; and 2) ensure that activities are coordinated with those of other relevant research agencies. The bill authorizes the Director to hold international homeland security technology workshops and conferences, and also authorizes the Under Secretary to carry out international cooperative activities to support specified responsibilities, including through the award of grants and enter into cooperative agreements and contracts.

Committee Action: H.R. 884 was introduced on February 7, 2007, and referred to the Committee on Homeland Security, which took no official action.

Cost to Taxpayers: A CBO score of H.R. 884 is unavailable. **The bill authorizes \$100 million over the FY08-FY11 time period from “amounts otherwise authorized for the Directorate of Science and Technology.**

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Constitutional Authority: A committee report citing constitutional authority is unavailable.

House Rule XIII, Section 3(d)(1), requires that all committee reports contain “a statement citing the *specific* powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.” *[emphasis added]*

RSC Staff Contact: Derek V. Baker; derek.baker@mail.house.gov; 202-226-8585

H.Res. 42 — Recognizing Ann Richards’ extraordinary contributions to Texas and American public life (*Ortiz, D-TX*)

Order of Business: The resolution is scheduled for consideration on Tuesday, February 27, 2007, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 42 would resolve that the House of Representatives recognizes and commends Ann Richards’ extraordinary contributions to Texas and American public life.

The resolution also states a number of findings, including the following:

- “Dorothy Ann Willis Richards, the First Lady of Texas politics, an American icon and patriot, who touched the lives of Texans and Americans across the Nation, passed away September 13, 2006, after a valiant fight with esophageal cancer;

- “her political philosophy was one of government openness and she was a forceful champion for economic and social justice for all Americans, opening Texas government to all Texans, including African Americans, Hispanics, women, and the disadvantaged;
- “before her service ended, of her nearly 3,000 appointments, 46 percent were female, 15 percent were black, 20 percent were Hispanic and 2 percent were Asian American;
- “her service to Texas and the Nation included teaching Texas schoolchildren, serving as County Commissioner in Travis County, serving 2 terms as Texas State Treasurer, and finally serving as the Governor of Texas;
- “Governor Richards revitalized the Texas economy, yielding 2 percent growth when the United States economy was shrinking; she streamlined Texas's government and regulatory institutions for business and the public; she revitalized and positioned Texas's corporate infrastructure for the explosive economic growth it experienced later in the decade, and she saved Texas taxpayers more than \$6 billion;
- “Richards reformed the Texas prison system by establishing a substance abuse program for inmates, reducing the number of violent offenders released, and increasing prison space to deal with a growing prison population;
- “Richards instituted the Texas lottery to supplement school finances and she sought to decentralize control over education policy to districts and individual campuses, instituting site-based management;
- “in 2004, she authored ‘I’m Not Slowing Down, Winning My Battle with Osteoporosis’ and became an international spokesperson for women battling the disease;
- “after her diagnosis with esophageal cancer, Richards inspired all of us with her determination to win against all the odds, and her fearless battle until the very last day in her beloved Austin, Texas; and
- “Governor Dorothy Ann Willis Richards was an American original, an irreplaceable public servant, a patriot who loved the Nation and its expansive land, ideas, and the Constitution.”

Committee Action: H.Res. 42 was introduced on January 9, 2007, and referred to the Committee on Government Reform, which took no official action.

Cost to Taxpayers: The resolution authorizes no expenditure.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

RSC Staff Contact: Derek V. Baker; derek.baker@mail.house.gov; 202-226-8585

H.R. 990 — Pell Grant Equity Act of 2007 (*George Miller, D-CA*)

Order of Business: The bill is scheduled to be considered on Tuesday, February 27, 2007, under a motion to suspend the rules and pass the bill.

Note: As of yesterday, the version of H.R. 990 scheduled to be considered, would have increased direct spending by \$11 million. As such, this bill (if considered under regular order) would have been subject to a PAYGO point of order. In addition, the increase in mandatory spending would have also caused the Education and Labor Committee to further exceed its 302 allocation in new budget authority. However, this morning, RSC staff was provided with an updated version of the legislation, which includes a provision to offset the increase in direct spending.

Summary: Current Pell Grant law requires that for any academic year for which an appropriation Act provides a maximum basic grant of more than \$2,700 (which has been every year since 1997), the amount of a student's Pell Grant is to equal \$2,700 plus:

- one-half of the amount by which such maximum basic grant exceeds \$2,700; plus
- the lesser of—
 - the remaining one-half of such excess; or
 - the sum of the student's tuition and, if the student has dependent care expenses or disability-related expenses, an allowance determined by the institution for these expenses.

In short, this provision, known as “tuition sensitivity,” provides that if a student attends an institution that costs less than the Pell Grant award, then the grant award is adjusted accordingly, so that the student is not compensated for more than the total cost of attending school.

H.R. 990 would prohibit the above provision from applying to the determination of a student's basic grant for the 2007-2008 academic years. As such, students with a cost of attendance less than the allotted Pell Grant award, would now be eligible to receive the portion of the award in excess of their actual costs. For example, if the maximum grant awarded is \$5, and attending college in State X costs \$5 per semester, but the cost of college in State Y is only \$1, under H.R. 990, students in both states would be eligible to receive the full \$5 award, even though the cost in State Y is significantly less.

In order to pay for the increase in mandatory spending, H.R. 990 would reduce over two years, from 24% to 22%, the amount that guarantee agencies earn from the money recovered from defaulted borrowers. Reportedly, this provision will save \$20 million. However, a CBO score for this portion of the bill is unavailable.

Committee Action: H.R. 990 was introduced on February 12, 2007, and referred to the House Committee on Education and Labor, which took no official action.

Cost to Taxpayers: According to a CBO estimate of a previous version of the bill, it would have increased mandatory spending by \$11 million during the FY 2007 and FY 2008 period. However, with the new offsetting provision, the bill appears to be at least budget neutral.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

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H.Res. 126 — Commending the University of Southern California Trojan football team for its victory in the 2007 Rose Bowl (*Watson, D-CA*)

Order of Business: The resolution is scheduled to be considered on Tuesday, February 27, 2007, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 126 would resolve that the House of Representatives:

- “commends the University of Southern California Trojan football team and USC President Steven B. Sample for USC’s victory in the 2007 Rose Bowl; and
- “recognizes the achievements of the players, coaches, students, alumni, and staff who were instrumental in helping the University of Southern California win the Rose Bowl.”

The resolution lists a number of findings, including the following:

- “the University of Southern California (USC) Trojan football team achieved many historic accomplishments during the 2006 season;
- “the USC Trojan football team achieved its fifth consecutive Associated Press (AP) Top 4 finish;
- “USC was invited to make an unprecedented fifth consecutive Bowl Championship Series bowl appearance;
- “USC achieved its fifth consecutive season of at least 11 victories, an achievement equaled by only 3 other Division I schools in the history of National Collegiate Athletic Association (NCAA) football;
- “USC has won 56 of its last 60 games;
- “USC head football coach Pete Carroll has the best winning percentage of any current NCAA Division I football coach with at least 5 years of experience; and
- “under the leadership of USC’s 10th president, Steven B. Sample, USC has established itself as a world-class research university, known for its leadership in the fields of communication, media, the sciences, and the arts.”

Committee Action: H.Res. 126 was introduced on February 5, 2007, and referred to the Committee on Education and Labor, which took no official action.

Cost to Taxpayers: The resolution authorizes no expenditure.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

RSC Staff Contact: Joelle Cannon; joelle.cannon@mail.house.gov, (202) 226-9717

H.Res. 103 — Congratulating the Mount Union College Purple Raiders for winning the 2006 NCAA Division III Football National Championship (Regula, R-OH)

Order of Business: The resolution is scheduled to be considered on Tuesday, February 27, 2007, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 103 would resolve that the House of Representatives:

- “congratulates the Mount Union College Purple Raiders for winning the 2006 NCAA Division III Football National Championship; and
- “recognizes all the players, coaches, and support staff who were instrumental in this achievement.”

The resolution lists a number of findings, including the following:

- “on December 16, 2006, the Mount Union College Purple Raiders of Alliance, Ohio, won the 2006 National Collegiate Athletic Association (NCAA) Division III Football National Championship by defeating the University of Wisconsin-Whitewater Warhawks by a score of 35-16 in the Amos Alonzo Stagg Bowl;
- “while there are currently 231 schools playing NCAA Division III college football, during the last 14 years the Purple Raiders have won an unprecedented 9 NCAA Division III Football National Championships;
- “Mount Union College currently has the second longest winning streak in all of college football with 23 consecutive victories;
- “the Purple Raiders hold college football's two longest winning streaks--55 consecutive games won from 2000 to 2003 and 54 consecutive wins from 1996 to 1999; and
- “in winning the 2006 National Championship, Mount Union College Football Head Coach Larry Kehres completed his 21st season as head coach of the Purple Raiders.”

Committee Action: H.Res. 103 was introduced on January 29, 2007, and referred to the Committee on Education and Labor, which took no official action.

Cost to Taxpayers: The resolution authorizes no expenditure.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

RSC Staff Contact: Joelle Cannon; joelle.cannon@mail.house.gov, (202) 226-9717.

H.R. 1129 — To provide for the construction, operation, and maintenance of an arterial road in St. Louis County, Missouri (*Carnahan, D-MO*)

Order of Business: The bill is scheduled for consideration on Tuesday, February 27, 2007, under a motion to suspend the rules and pass the bill.

Summary: H.R. 1129 provides that the St. Louis County arterial road 1151, known as the “Lemay Connector Road” in St. Louis City and County, Missouri, may be constructed, operated, and maintained pursuant to certain federal laws regarding the development of property that requires the property to be maintained for open space, recreation, or wetland management. Specifically, the bill provides that this road is to be identified as a FEMA route in the documents titled “Lemay Connector Road for Long-Term Recovery, Recreational Enhancements, & Community, & Economic Development,” which is dated June 1, 2006, and is on file with the St. Louis County department of highways and traffic.

St. Louis County is directed to ensure that the project is constructed, operated, and maintained in a manner that would not cause any future additional flood damage that would not have occurred without the project. Prior to constructing the project, St. Louis County, or its assignee, must identify and agree to restrict a nearby parcel of land of equal or greater size to the deed restricted land used for the project is maintained for open space, recreation, or wetland management.

H.R. 1129 also provides that federal government is not liable for future flood damage caused by the project, and that the property is not eligible for any future disaster assistance from any other federal sources.

Additional Information: According to the Transportation and Infrastructure Committee, H.R. 1129 authorizes the construction of a road on land that is currently restricted because it was flooded in 2002, and as part of the Flood Insurance program, if a certain area receives compensation due to flooding, there is a restriction on that area from any further development. However, the bill provides that the federal government is not liable for any future flood damage.

Committee Action: H.R. 1129 was introduced on February 16, 2007, and was referred to the House committee on Transportation and Infrastructure.

Cost to Taxpayers: A CBO cost estimate is unavailable.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

RSC Staff Contact: Joelle Cannon; joelle.cannon@mail.house.gov, (202) 226-9717.

H.R. 494 — To provide for the conditional conveyance of any interest retained by the United States in St. Joseph Memorial Hall in St. Joseph, Michigan (Upton, R-MI)

Order of Business: The bill is scheduled for consideration on Tuesday, February 27, 2007, under a motion to suspend the rules and pass the bill.

Summary: The bill directs the Administrator of General Services to convey by, quitclaim deed, St. Joseph Memorial Hall to the city of St. Joseph, Michigan, for \$10,000. The Administrator of General Services may require such additional terms and conditions to the conveyance as he considers appropriate to protect the interest of the United States.

Additional Information: The city of St. Joseph received the building and property from the federal government through Public Act 81 on May 28, 1935. This conveyance required that the property be used for public park purposes “or such other wholly public use as may be approved by the United States.”

According to the sponsor, the city of St. Joseph wants to redevelop the Bluffside area and is concerned that, although incorporated into a larger effort to provide public recreation and education to the community, possible alternative uses of the Memorial Hall property may technically be prohibited by the 1935 deed restriction, and could impede the entire Bluffside development. This bill will eliminate the deed restrictions imposed by the federal interest in the hall.

Committee Action: H.R. 494 was introduced on January 16, 2007, and was referred to the House committee on Transportation and Infrastructure.

Cost to Taxpayers: A CBO cost estimate is unavailable.

Does the Bill Expand the Size and Scope of the Federal Government?: The bill decreases federal land holdings, and thus slightly contracts the size of government.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

RSC Staff Contact: Joelle Cannon; joelle.cannon@mail.house.gov, (202) 226-9717.

H.Con.Res. 52 — Supporting the goals and ideals of American Heart Month (*Millender-McDonald, D-CA*)

Order of Business: The resolution is scheduled for consideration on Tuesday, February 27, 2007, under a motion to suspend the rules and pass the resolution.

Summary: H.Con.Res. 52 resolves that the Congress:

- “supports the goals and ideals of American Heart Month;
- “invites the chief executive officers of the States, territories, and possessions of the United States to issue proclamations designating American Heart Month and recognizing the goals and ideals of American Heart Month;
- “commends the efforts of States, territories and possessions of the United States, localities, non-profit organizations, businesses, and other entities, and the people of the United States who support the goals and ideals of American Heart Month;
- “recognizes and reaffirms our Nation’s commitment to fighting heart disease by promoting awareness about its causes, risks, and prevention and **by promoting new education programs**, supporting research, and expanding access to medical treatment;
- “recognizes all Americans battling heart disease, expresses gratitude to their family members and friends who are a source of love and encouragement to them as they combat this disease, and salutes the health care professionals and medical researchers who provide assistance to those so afflicted and continue to work to find cures and improve treatments; and
- “encourages each and every American to take to heart the four simple healthy life, healthy heart goals identified by the HealthierUS Initiative of the U.S. Department of Health and Human Services: exercise regularly and maintain a healthy weight; develop good eating habits; avoid tobacco products, drugs and excessive alcohol; and have regular medical checkups to take advantage of screenings that can detect heart-disease related problems early” (emphasis added).

The resolution lists a number of findings, including the following:

- “heart disease affects adult men and women of every age and race in the United States;
- “heart disease continues to be the leading cause of death in the United States;
- “an estimated 79 million adult Americans, nearly one in every 3, have 1 or more types of heart disease, including high blood pressure, coronary heart disease, congestive heart failure, stroke, and congenital heart defects;
- “these studies have identified the following as major risk factors that cannot be changed: age (the risk of developing heart disease gradually increases as people age; advanced age significantly increases the risk); gender (men have greater risk of developing heart disease than women); and heredity (children of parents with heart disease are more likely to develop it themselves; African Americans have more severe high blood pressure than Caucasians and therefore are at higher risk; the risk is also higher among Latina Americans, some Asian Americans, and Native Americans and other indigenous populations);
- “these studies have identified the following as major risk factors that Americans can modify, treat or control by changing their lifestyle or seeking appropriate medical

treatment: high blood pressure, high blood cholesterol, smoking tobacco products and exposure to tobacco smoke, physical inactivity, obesity, and diabetes mellitus;

- “these studies have identified the following as contributing risk factors that Americans can also take action to modify, treat or control by changing their lifestyle or seeking appropriate medical treatment: individual response to stress, excessive consumption of alcoholic beverages, use of certain illegal drugs, and hormone replacement therapy;
- “the American Heart Association projects that in 2007 1.2 million Americans will have a first or recurrent heart attack and 452,000 of these people will die as a result; and
- “every year since 1964 the President has issued a proclamation designating the month February as ‘American Heart Month’.”

Committee Action: H.Con.Res. 52 was introduced on January 31, 2007, and referred to the House Committee on Energy and Commerce.

Cost to Taxpayers: The resolution would authorize no expenditures.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

RSC Staff Contact: Joelle Cannon; joelle.cannon@mail.house.gov, (202) 226-9717.

H.Con.Res. 74 — Expressing the sense of the Congress regarding the need for additional research into the chronic neurological condition hydrocephalus (Thompson, D-CA)

Order of Business: The resolution is scheduled for consideration on Tuesday, February 27, 2007, under a motion to suspend the rules and pass the resolution.

Summary: H.Con.Res. 74 would resolve that the Congress commends the Director of the National Institutes of Health for working with leading scientists and researchers to organize the first-ever National Institutes of Health conference on hydrocephalus. The resolution also states the following Sense of the Congress:

- “the Director of the National Institutes of Health should continue the current collaboration with respect to hydrocephalus among the National Eye Institute; the National Human Genome Research Institute; the National Institute of Biomedical Imaging and Bioengineering; the National Institute of Child Health and Human Development; the National Institute of Neurological Disorders and Stroke; the National Institute on Aging; and the Office of Rare Diseases;
- “further research into the epidemiology, pathophysiology, disease burden, and improved treatment of hydrocephalus should be conducted or supported; and

- “public awareness and professional education regarding hydrocephalus should increase through partnerships between the Federal Government and patient advocacy organizations, such as the Hydrocephalus Association.”

H.Con.Res. 74 lists a number of findings, including the following:

- “hydrocephalus is a serious neurological condition, characterized by the abnormal buildup of cerebrospinal fluids in the ventricles of the brain;
- “there is no known cure for hydrocephalus;
- “hydrocephalus affects an estimated one million Americans;
- “with appropriate diagnosis and treatment, people with hydrocephalus are able to live full and productive lives;
- “there are fewer than 10 centers in the United States specializing in the treatment of adults with normal pressure hydrocephalus; and
- “each year, the people of the United States spend in excess of \$1 billion to treat hydrocephalus;
- “a September 2005 conference sponsored by 7 institutes of the National Institutes of Health—‘Hydrocephalus: Myths, New Facts, Clear Directions’--resulted in efforts to initiate new, collaborative research and treatment efforts.”

Committee Action: H.Con.Res. 74 was introduced on January 16, 2007, and was referred to the House committee on Committee on Energy and Commerce.

Cost to Taxpayers: A CBO cost estimate is unavailable.

Does the Bill Expand the Size and Scope of the Federal Government?: The bill decreases federal land holdings, and thus slightly contracts the size of government.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

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H.R. 710 — Charlie W. Norwood Living Kidney Organ Donation Clarification Act (*Norwood, R-GA*)

Order of Business: The bill is scheduled for consideration on Tuesday, February 27, 2007, under a motion to suspend the rules and pass the bill.

Note: On February 13, 2007, long-time conservative activist, Rep. Charlie Norwood lost his long battle with cancer. RSC Chairman Jeb Hensarling (R-TX) released [this statement](#) in honor of Rep. Norwood.

Summary: Current law prohibits any person from knowingly acquiring, receiving, or otherwise transferring any human organ for valuable consideration for use in human transplantation if the

transfer affects interstate commerce. H.R. 710 would provide that this prohibition does not apply with respect to the paired donation of human kidneys.

H.R. 710 provides the following definition of “paired donation of human kidney:”

- “the donation and receipt of human kidneys under the following circumstances:
 - “An individual (referred to as the first donor) desires to make a living donation of a kidney specifically to a particular patient (referred to as the first patient), but such donor is biologically incompatible as a donor for such patient.
 - “A second individual (referred to as the ‘second donor’) desires to make a living donation of a kidney specifically to a second particular patient (referred to as the ‘second patient’), but such donor is biologically incompatible as a donor for such patient.
 - “the first donor is biologically compatible as a donor of a kidney for the second patient, and the second donor is biologically compatible as a donor of a kidney for the first patient.
 - “If there is any additional donor-patient pair, each donor in the group of donor-patient pairs is biologically compatible as a donor of a kidney for a patient in such group.
 - “All donors and patients in the group of donor-patient pairs (whether two pairs or more than two pairs) enter into a single agreement to donate and receive such kidneys, respectively, according to such biological compatibility in the group.”

In short, the paired donation system allows for those patients with a willing, living donor, to be paired up with living donors for other patients (also with living donors), so that biologically compatible donors are found for individuals with living donors. For example, assume that Patient A has a friend who is a living, willing donor (Donor A), but Donor A is not biologically compatible (for example, has a different blood type) with their friend. Then, assume that Patient B also has a friend who is a living, willing donor (Donor B), but who also is not compatible with this friend. However, Patient A is compatible with Donor B, and Patient B is compatible with Donor A. The paired donation system would allow these donors to provide kidneys to these patients, without the patients being placed on the kidney donation list, waiting for a kidney from a deceased individual.

Additional Information: According to the sponsor’s office, “Currently, 73,000 Americans are in need of a kidney transplant. The average wait time to receive a kidney is over 4 years. Paired transplantation is a way to solve the dilemma faced by people who want to become living organ donors for a family member or friend, but are unable to do so because they are biologically incompatible. In the process of kidney paired donor transplants, a pair consisting of a kidney transplant candidate and an incompatible living donor is matched with another such incompatible pair to enable two transplants that otherwise would not occur.

The controversy over paired organ donation began with a previous interpretation by the Department of Health and Human Services stating that paired donation may be in violation of the National Organ Transplant Act’s (NOTA) valuable consideration clause, which was intended to outlaw the buying and/or selling of organs. As a result of HHS’ past questioning reflecting a sentiment that no longer exists, sentiment wary of performing paired donation remains in some corners of the transplant community but not of the procedure itself -- even though it has never

been recognized as unlawful. Several states have begun to allow paired donation to take place, but because the United Network for Organ Sharing (UNOS) and create a national database until federal guidance is given and thus will not track eligibility for paired donation, thousands of people die waiting on a transplant list who could be saved through paired donation.

Letters of strong support for H.R. 710 have been issued by the United Network for Organ Sharing, the American Society of Transplantation, Association of Organ Procurement Organizations, the National Kidney Foundation, the American Society of Pediatric Nephrology, NATCO, Cedars Sinai Health Systems, Johns Hopkins, and the American Society of Transplant.”

Committee Action: H.R. 710 was introduced on January 29, 2007, and was referred to the House committee on Committee on Energy and Commerce.

Cost to Taxpayers: Although a CBO cost estimate is unavailable, this bill does not appear to affect federal expenditures.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

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